

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RONALD WATTS,

Plaintiff,

-against-

9:03-CV-0561
(LEK/DRH)

ROBERT KASULKE,

Defendant.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation and Order filed on January 29, 2007, by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 58).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Homer's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

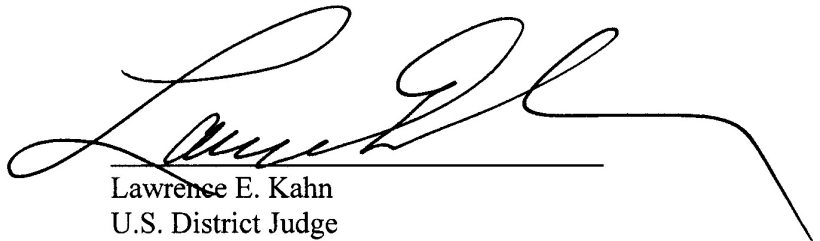
ORDERED, that the Report-Recommendation (Dkt. No. 58) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Defendant's Motion for summary judgment (Dkt. No. 54) is **GRANTED**, and that this case is **TERMINATED**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: February 28, 2007
Albany, New York



Lawrence E. Kahn
U.S. District Judge